

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TREZJUAN THOMPSON,
Plaintiff,

v.

UNITED STATES,
Defendant.

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CIVIL ACTION

NO.: 16-3287

ORDER

AND NOW, this 12th day of July, 2017, upon consideration of Plaintiff's Complaint (Dkt No. 1), Defendant's Partial Motion to Dismiss Plaintiff's Complaint (Dkt No. 15), Plaintiff's Response (Dkt No. 18), and Defendant's Reply (Dkt No. 23), it is hereby ordered as follows:

1. Defendant's Motion is **GRANTED IN PART AND DENIED IN PART**.
2. Defendant's Motion to Dismiss is **GRANTED** as it relates to Count II of the Complaint.
3. Defendant's Motion to Dismiss is **DENIED** as it relates to Count III of the Complaint.
4. Plaintiff is granted leave to amend the Complaint within fourteen (14) days of the filing of this Order.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.